

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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)	
BRAINTREE LABORATORIES, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 12-cv-6851-AJN
)	ECF Case
)	
CYPRESS PHARMACEUTICAL, INC.,)	
)	
Defendant.)	
)	
)	

**SUPPLEMENTAL DECLARATION OF JENNIFER BROWN IN SUPPORT OF
PLAINTIFF BRAINTREE LABORATORIES, INC.'S OPPOSITION TO
DEFENDANT CYPRESS PHARMACEUTICAL, INC.'S MOTION FOR
SUMMARY JUDGMENT OF NONINFRINGEMENT,
ATTACHING REDACTED EXHIBIT 9**

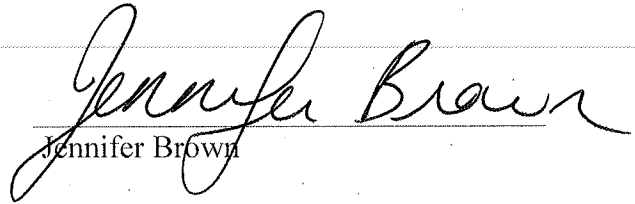
I, Jennifer Brown, declare as follows:

1. I am an associate with the law firm Wilmer Cutler Pickering Hale and Dorr LLP, 60 State Street, Boston, Massachusetts, which is counsel to Plaintiff Braintree Laboratories, Inc. (“Braintree”), in the above-captioned matter. I am admitted to practice before this Court *pro hac vice* and make this supplemental declaration in support of Braintree Laboratories, Inc.’s Opposition to Defendant Cypress Pharmaceutical, Inc.’s Motion for Summary Judgment of Noninfringement. Unless otherwise stated, I know the facts stated herein of my personal knowledge.

2. Attached hereto is a redacted copy of **Exhibit 9** to the Declaration of Jennifer Brown in Support of Plaintiff Braintree Laboratories, Inc.’s Opposition to Defendant Cypress Pharmaceutical, Inc.’s Motion for Summary Judgment of Noninfringement (Dkt. No. 51, filed on August 2, 2013). Sealing of portions of this document has been ordered by Judge Nathan on August 19, 2013. *See* Dkt. No. 57. Exhibit 9 is a true and correct copy of Selected Pages from Cypress Abbreviated New Drug Application, bearing Bates production number CYPRESS000068, CYPRESS000205, CYPRESS000208 and CYPRESS000322.

I declare under penalty of perjury under the laws of the United States and the Commonwealth of Massachusetts that the foregoing is true and correct and that this declaration was executed on August 20, 2013 in Boston, Massachusetts.

Executed on: August 20, 2013


Jennifer Brown

CERTIFICATE OF SERVICE

I hereby certify that on August 20, 2013, a true and correct copy of the foregoing
SUPPLEMENTAL DECLARATION OF JENNIFER BROWN IN SUPPORT OF BRAINTREE
LABORATORIES, INC.'S OPPOSITION TO DEFENDANT CYPRESS PHARMACEUTICAL,
INC.'S MOTION FOR SUMMARY JUDGMENT OF NONINFRINGEMENT was filed
through the Court's Electronic Filing System (ECF), and was served electronically to the
registered participants as identified on the Notice of Electronic Filing (NEF).

Dated: August 20, 2013

/s/ John J. Regan